

Notice of Allowability

Application No.

10/766,571

Examiner

Ruth C. Rodriguez

Applicant(s)

CHANG, CHIA-HSIANG

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--.

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 13 July 2005.
2. ☒ The allowed claim(s) is/are 1 and 3-9 that will be renumbered 1-8 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

For claim 1, Tanaka et al. discloses a slider is assembled over first and second extending and reclosable portions associated with a resealable bag where each of the reclosable portions includes an opposing and biasingly mating profile. The slider comprises a main body and a substantially U-shaped and assembleable cap portion. The main body exhibits a central portion and first and second hingedly attached and foldable wings. The central portion exhibits a splitter element. The foldable wings define therebetween a resealing element. The substantially "U" shaped and assembleable cap portion engages upon the main body and upon the body being pre-positioned relative to the extending reclosable portions such that said splitter element separates a first location of the reclosable portions. The wings further folds downwardly against opposite sides of the bag such that the resealing element rejoins a second location of the reclosable portions. Tanaka discloses that the splitter element comprises an extending blade that is used to retain the slider with respect to the bag but that the splitter element will not be located between the mating profiles because the profiles provide a sealing surface that will allow air to be take out of the bag through a valve in order to reduce the typical volume of the bagged contents being stored with the bag without the possibility of having the airflow into the bag long after the valve has been used. Therefore, Tanaka fails to disclose that the splitter element separates the profiles located at the reclosable portion upon when traveling over the reclosable portions.

Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have the extending blade of the splitter element separating the opposing and mating profiles associated with the reclosable portions and upon traversing motion of the slider in a first direction relative to the reclosable portions without affecting the seal provided by the profiles that prevent airflow into the bagged contents long after the valve has been used.

Regarding claim 9, the same reasons for allowance of claim 1 apply to claim 9 since claim 9 has similar limitations as claim 1 but also includes that the resealing element defines a narrow aperture through that compresses the mating profiles when the slider is moved in a second selected direction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

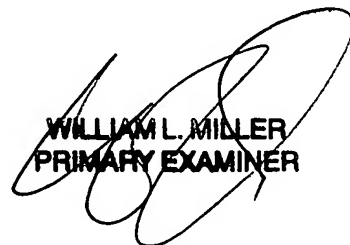
Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
September 29, 2005


WILLIAM L. MILLER
PRIMARY EXAMINER